

JOURNAL OF THE HOUSE.

Wednesday, October 31, 2007.

Met according to adjournment, at eleven o'clock A.M., in an Informal Session, with Mr. Donato of Medford in the Chair (having been appointed by the Speaker, under authority conferred by Rule 5, to perform the duties of the Chair).

Prayer was offered by the Reverend Robert F. Quinn, C.S.P., Chaplain of the House, as follows:

Prayer.

God of Compassion and Truth, each day we place our hope and trust in You, in Your ways and values which You have made known to us in a variety of ways. We believe that You and Your precepts offer us personal happiness, fulfillment and give meaning and direction to our daily living. We also look to You for guidance in dealing with the legislative items of the moment and as we plan for the future. In this age of exciting technological and scientific discoveries, inspire us to use this new information in a reasonable and moral manner.

Grant Your blessings to the Speaker, the members and employees of this House and their families. Amen.

Pledge of allegiance.

At the request of the Chair (Mr. Donato), the members, guests and employees joined with him in reciting the pledge of allegiance to the flag.

Message from the Governor.

Supplemental budget, home heating aid.

A message from His Excellency the Governor submitting a request for making an appropriation for the fiscal year 2008 to provide supplemental funding for a low income home energy assistance program (House, No. 4332) was filed in the office of the Clerk prior to today's sitting.

The message was read; and it was referred, under Rule 30, with the accompanying draft of a bill, to the committee on Ways and Means.

Annual and Special Reports.

Annual reports

Biologic Laboratories.

Of the Director of the Biologic Laboratories of the University of Massachusetts (under the provisions of Section 43 of Chapter 75 of the General Laws) for the fiscal year 2007;

Boston University Chelsea Partnership.

Of the Management Team of Boston University (under the provisions of Section 13 of Chapter 133 of the Acts of 1989) submitting a copy of its annual report of the Boston University/Chelsea Partnership for the fiscal year 2006;

Economic Stabilization Trust.

Of the Economic Stabilization Trust (under the provisions of Section 14 of Chapter 23D of the General Laws) for the fiscal year 2007;

Ethics Commission.

Of the State Ethics Commission (under the provisions of Section 2(1) of Chapter 268B of the General Laws) for the fiscal year 2007;

Group Insurance Commission.

Of the Group Insurance Commission (under the provision of Section 21 of Chapter 32A of the General Laws) for the fiscal year 2007;

WEDNESDAY, OCTOBER 31, 2007.

Of the Massachusetts Legal Assistance Corporation (under the provisions of Section 10 of Chapter 221A of the General Laws) relative to the discrimination and evaluation of each program and a summary of the expenditures for such programs for the fiscal year ending June 30, 2007; and

Legal Assistance Corporation.

Of the Commission on the Status of Woman (under the provisions of Section 1 of Chapter 138 of the General Laws) for the fiscal year 2006;

Status of women.

A semi-annual report of the Insurance Fraud Bureau (under the provisions of Section 1(k) of Chapter 338 of the Acts of 1990) containing a spending and management plan for said office;

Insurance Fraud Bureau.

A monthly report of the Division of Unemployment Assistance (under the provisions of Chapter 142 of the Acts of 2003) relative to the condition of the Commonwealth's Unemployment Insurance Trust Fund for July, August and September, 2007; and

Unemployment Insurance Trust Fund.

Reports

Of the Massachusetts Capital Resource Company (under the provisions of Section 20 of Chapter 816 of the Acts of 1977) relative to the taxable year for domestic life insurance companies ended September 1, 2007; and

Capital Resource Company.

Of the Special Transportation Finance Commission (under the provision of Section 13 of Chapter 195 of the Acts of 2004) relative to the transportation finance needs of the Commonwealth;

Transportation Finance Commission.

Severally were placed on file.

Communications.

Communications

From the city of New Bedford transmitting the affirmative vote of the city council of said city supporting the location of a casino in the Southeastern New England area, preferably New Bedford;

New Bedford casino, support.

From the Human Resources Division of the Executive Office of Administration and Finance (under the provisions of Section 25 of Chapter 31 of the General Laws) submitting a list of certain public safety promotional lists which have been revoked as of August and October, 2007;

Public safety promotional lists.

From the Executive Office of Transportation (under the provisions of item 6000-0100 of Chapter 139 of the Acts of 2006) submitting copies of several quarterly and special reports, including STIP funding, Chapter 90 PWED fund and certain payroll reports;

Executive Office of Transportation.

From the Water Resources Commission (under Section 8C of Chapter 21 of the General Laws and 313 CMR 4.06(3)) relative to the approval of an Interbasin Transfer Act request from the town of Wilmington to become a member of the Massachusetts Water Resources Authority water works system; and

Wilmington, M W R A membership.

From the Water Resources Commission (under Section 8C of Chapter 21 of the General Laws and 313 CMR 4.06(3)) relative to the approval of an Interbasin Transfer Act request from the town of Reading to become a member of the Massachusetts Water Resources Authority water works system;

Reading, M W R A membership.

Severally were placed on file.

*Petitions.*Greenfield,
charter.

Mr. Donelan of Orange presented a petition (accompanied by bill, House, No. 4331) of Christopher J. Donelan (with the approval of the mayor and town council) for legislation to make certain changes in the charter of the town of Greenfield; and the same was referred to the committee on Municipalities and Regional Government. Sent to the Senate for concurrence.

Petitions severally were presented and referred as follows:

Juveniles,
vehicle
homicides.

By Representative Humason of Westfield and Senator Knapik, joint petition (subject to Joint Rule 12) of Representative Donald F. Humason, Jr., and Senator Michael R. Knapik relative to criminal proceedings against certain juveniles involved in vehicular homicides.

Veterans,
registration
fees.

By Mr. Hynes of Marshfield, petition (subject to Joint Rule 12) of Frank M. Hynes that veterans be exempt from payment of fees for the registration of motor vehicles.

Lottery
aid,
distribution.

By Mr. Jones of North Reading, petition (subject to Joint Rule 12) of Bradley H. Jones, Jr., for legislation to increase the distribution of funds from the State Lottery to the cities and towns of the Commonwealth.

Montague,
Turners Falls
and Lake
Pleasant.

By Representative Kulik of Worthington and Senator Rosenberg, joint petition (subject to Joint Rule 12) of Stephen Kulik and Stanley C. Rosenberg for legislation to provide for the merger of the Turners Falls Fire District and the Lake Pleasant Water Supply District in the town of Montague.

Alcoholic
beverages,
sales.

By Mr. Lantigua of Lawrence, petition (subject to Joint Rule 12) of William Lantigua relative to the purchase of alcoholic beverages by special licensees.

Gift
certificates,
redemption.

By the same member, petition (subject to Joint Rule 12) of William Lantigua and others for legislation to allow consumers to receive cash for certain gift certificates.

Special
education,
enrollment.

By Mr. Ross of Wrentham, petition (subject to Joint Rule 12) of Richard J. Ross relative to the definition of students enrolled in special education classes inside and outside of school districts.

Severally, under Rule 24, to the committee on Rules.

*Papers from the Senate.*Fall River,
special
police.

A Bill authorizing the appointment of special police officers in the city of Fall River (Senate, No. 2251) (on a petition) [Local Approval Received], passed to be engrossed by the Senate, was read; and it was referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

*Bills*Reckless
endangerment.

Relative to reckless endangerment of a disabled person (Senate, No. 1143) (on a petition);

Easton,
land
conveyance.

Authorizing the board of selectmen of Easton to lease a certain parcel of land (Senate, No. 2272) (on a petition) [Local Approval Received];

Severally passed to be engrossed by the Senate, were read; and they were referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

The following notice was received from the Clerk of the Senate, to wit:—

October 31, 2007.

Honorable Salvatore F. DiMasi
Speaker of the House of Representatives
Room 356, State House
Boston, MA 02133

Dear Mr. Speaker:

I have the honor to inform you that the Honorable Therese Murray, President of the Senate, has announced her appointment of Senator James E. Timilty to serve as a member of the Special Commission established (pursuant to Chapter 428 of the Acts of 2006) to study the impact of drowsy driving on highway safety.

Drowsy
driving
study,
Senate
appointment.

Respectfully submitted,

WILLIAM F. WELCH,
Clerk of the Senate.

Reports of Committees.

By Mrs. Walrath of Stow, for the committee on Health Care Financing, that the Bill relative to child abuse and neglect (House, No. 4191) ought to pass [Estimated Cost: More than \$100,000.00]. Read; and referred, under Rule 33, to the committee on Ways and Means.

Child abuse
and neglect.

By Ms. Coakley-Rivera of Springfield, for the committee on Children, Families and Persons with Disabilities, on House, Nos. 81 and 88, a Bill relative to deceased poor and indigent persons (House, No. 88).

Indigent
persons.

By the same member, for the same committee, on a petition, a Bill relative to the tuition of children under the control of the Department of Transitional Assistance living in family shelters (House, No. 103).

Sheltered
children,
tuitions.

By the same member, for the same committee, on a petition, a Bill relative to the preservation of families (House, No. 111).

Non-custodial
children.

By the same member, for the same committee, on a petition, a Bill removing barriers to emergency shelter (House, No. 116).

Emergency
shelters.

By the same member, for the same committee, on a petition, a Bill eliminating discrimination against children based on birth order (House, No. 117).

Birth order,
discrimination.

By the same member, for the same committee, on a petition, a Bill requiring the Department of Transitional Assistance to track and report on the use of emergency shelter services by families (House, No. 119).

Emergency
shelters.

By the same member, for the same committee, on a petition, a Bill creating assignment levels in the Department of Early Education and Care (House, No. 122).

Early
education,
assignments.

By the same member, for the same committee, on a petition, a Bill relative to emergency aid for elderly and disabled (House, No. 131).

Elderly,
aid.

By the same member, for the same committee, on a petition, a Bill creating a means for tracking the unmet need of individuals with

Developmental
disabilities.

developmental disabilities in the Commonwealth of Massachusetts (House, No. 135).

Out of school
time
programs.

By the same member, for the same committee, on a petition, a Bill to develop a system of after school and out of school time in the Commonwealth (House, No. 141).

Mental
retardation
providers.

By the same member, for the same committee, on House, Nos. 107 and 748, a Bill relative to wage parity for direct care employees of providers of services to the Department of Mental Retardation (House, No. 748, changed in lines 42 and 51 by striking out the words "Joint Committee on Human Services and Elderly Affairs" and inserting in place thereof, in each instance, the words "Joint committee on Children, Families and Persons with Disabilities").

Roxbury
Defenders,
creditable
service.

By Mr. Kaufman of Lexington, for the committee on Public Service, on a petition, a Bill authorizing certain public defenders creditable retirement time for service as employees of Roxbury Defenders (House, No. 2515).

Sabbatical
leave,
benefits.

By the same member, for the same committee, on a joint petition, a Bill to clarify creditable service for sabbatical leaves (House, No. 2602).

Nurses,
creditable
service.

By the same member, for the same committee, on Senate, No. 1508 and House, No. 2614, a Bill relative to creditable service for school nurses (House, No. 2614).

Indian
Affairs
teachers,
retirement.

By the same member, for the same committee, on Senate, No. 1434 and House, No. 2779, a Bill providing creditable service for teaching service rendered in Bureau of Indian Affairs schools (House, No. 2779).

Robert
Penta,
retirement
credit.

By the same member, for the same committee, on a petition, a Bill authorizing the State Board of Retirement to grant creditable service to Robert M. Penta (House, No. 4115).

Severally read; and referred, under Rule 33, to the committee on Ways and Means.

Retardation,
General
Law use.

By Ms. Coakley-Rivera of Springfield, for the committee on Children, Families and Persons with Disabilities, on a petition, a Bill to eliminate the use of the word retardation from the General Laws (House, No. 1899).

Everett,
police.

By Mr. Kaufman of Lexington, for the committee on Public Service, on a petition, a Bill relative to the appointment of retired police officers in the city of Everett (House, No. 3982) [Local Approval Received].

Gardner,
Jeffrey J.
Giles.

By the same member, for the same committee, on a petition, a Bill authorizing Jeffrey J. Giles to take the civil service examination for police officer in the city of Gardner notwithstanding the minimum age requirement (House, No. 4010) [Local Approval Received].

Fall River,
special
police.

By the same member, for the same committee, on a joint petition, a Bill for special police officers for the city of Fall River (House, No. 4076) [Local Approval Received].

West
Springfield,
special police.

By the same member, for the same committee, on a joint petition, a Bill relative to the special police force in the town of West Springfield (House, No. 4080) [Local Approval Received].

West Tisbury,
insurance.

By the same member, for the same committee, on a petition, a Bill relative to town employees of West Tisbury (House, No. 4102) [Local Approval Received].

By the same member, for the same committee, on a petition, a Bill exempting all positions in the town of Franklin's department of public works from the civil service law (House, No. 4103) [Local Approval Received].

Franklin,
civil
service.

By the same member, for the same committee, on a joint petition, a Bill to permit town resident Daniel Wesinger to take the civil service test for the position of firefighter in the town of Arlington (House, No. 4123) [Local Approval Received].

Arlington,
Daniel
Wesinger.

By the same member, for the same committee, on a joint petition, a Bill to permit town resident Brendan Gormley to take the civil service test for the position of firefighter in the town of Arlington (House, No. 4142) [Local Approval Received].

Arlington,
Brendan
Gormley.

Severally read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

By Mr. Donato of Medford, for the committee on Steering, Policy and Scheduling, that the following matters be scheduled for consideration by the House:

Senate bills

Relative to public safety at reproductive health care facilities (Senate, No. 1353, amended);

Buffer
zones.

Relative to the annual observance of Leopoldville Disaster Remembrance Day (Senate, No. 1873);

Leopoldville
disaster.

Authorizing the board of selectmen of Easton to lease a certain parcel of land (Senate, No. 2272) [Local Approval Received];

Easton, land
conveyance.

Authorizing the town of Tyngsborough to establish a recreation fields fund (Senate, No. 2291) [Local Approval Received]; and

Tyngsborough
fund.

Authorizing the town of Dedham to grant an additional license for the sale of all alcoholic beverages to be drunk on the premises (Senate, No. 2336, amended); and

Dedham,
liquor
license.

House bills

Relative to the reauthorization of the Small Business Advisory council (House, No. 191);

Small business
advisors.

To increase retirement benefits (House, No. 2594);

Retirement.

Relative to election in the city of Everett (House, No. 4097) [Local Approval Received];

Everett,
elections.

Extending the funding schedule required to reduce the town of Arlington's actuarial liability calculated to fully fund its retirement obligation and to divert funds into its other post employment benefits trust fund (House, No. 4140) [Local Approval Received]; and

Arlington,
retirement
funds.

Relative to the resale of mattresses (House, No. 4299);

Mattresses.

Severally placed in the Orders of the Day for the next sitting for a second reading.

Order.

On motion of Mr. DiMasi of Boston,—

Ordered, That when the House adjourns today, it adjourn to meet tomorrow at eleven o'clock A.M.

Next
sitting.

At two minutes after eleven o'clock A.M., on motion of Mr. Lepper of Attleboro (Mr. Donato of Medford being in the Chair), the House adjourned, to meet tomorrow at eleven o'clock A.M.